

1. Any best available control technology or lowest achievable emission rate limitations established under ch. NR 405, 408 or 445 or pursuant to parts C or D of title I of the act (42 USC 7470 to 7492 or 7501 to 7515).

2. Any conditions that a permittee requested in order to avoid being considered a major source or major modification under ch. NR 405 or 408 or to avoid any other requirement that would otherwise be applicable to the source.

3. Any source-specific emission limits contained in a permit under any applicable requirement.

(3) **FEDERALLY ENFORCEABLE REQUIREMENTS.** (a) Except as provided in par. (b), all terms and conditions in an operation permit for a part 70 source, including any provisions designed to limit a stationary source's potential to emit, are enforceable by the administrator under s. 113 (a) of the act (42 USC 7413 (a)) and citizens under s. 304 of the act (42 USC 7604).

(b) Notwithstanding par. (a), the department shall specifically designate as not federally enforceable under the act any terms and conditions included in the permit that are not required under the act, under any of the act's applicable requirements or under the state implementation plan.

(4) **COMPLIANCE REQUIREMENTS.** (a) All operation permits shall contain the following provisions with respect to compliance:

1. Compliance testing, monitoring, reporting and recordkeeping requirements sufficient to assure compliance with the terms and conditions of the permit. Any document required under an operation permit and submitted to the department, including reports, shall contain a certification by a responsible corporate official that meets the requirements of s. NR 407.05 (4) (j).

2. Inspection and entry requirements in accordance with ss. 144.34 and 144.31 (2) (f), Stats., and s. NR 439.05.

3. Requirements for certifying compliance with terms and conditions contained in the permit, including emission limitations, standards and work practices. Permits shall include each of the following:

a. The required frequency of submission of compliance certifications, which shall be not less than annually or more frequently if specified in the applicable requirement or by the department;

b. Means for assessing or monitoring the compliance of the source with its emissions limitations, standards and work practices, except that for non-part 70 sources, the means need only be included to the extent needed to comply with sub. (1) (c);

c. A requirement that the compliance certification include the information listed in s. NR 439.03 (7);

d. A requirement that all compliance certifications for part 70 sources be submitted to the administrator as well as to the department; and

e. Additional provisions as may be required pursuant to ss. 114 (a) (3) and 504 (b) of the act (42 USC 7414 (a) (3) and 7661c (b)).

(b) All operation permits for existing sources which are not proposed to be in compliance with all applicable requirements at the time of permit issuance shall contain a compliance schedule as described in s. 144.3935 (1) (a) 1, Stats., and a schedule for submission of progress reports, consistent with the applicable compliance schedule, to be submitted at least semiannually, or more frequently if specified in the applicable requirement or by the department. Progress reports shall contain the following:

1. The dates specified in the permit for achieving the activities, milestones or compliance required in the compliance schedule, and the dates when the activities, milestones or compliance were achieved; and

2. An explanation of why any dates in the compliance schedule were not or will not be met, and any preventive or corrective measures adopted.

(5) **PERMIT SHIELD.** (a) An operation permit shall include a provision pursuant to and consistent with s. 144.3925 (9) (b), Stats.

(b) Neither s. 144.3925 (9) (b), Stats., nor any condition in a permit may alter or affect the following:

1. The authority of the administrator under s. 303 of the act (42 USC 7603);

2. The liability of an owner or operator of a stationary source for any violation of applicable requirements prior to or at the time of permit issuance;

3. The applicable requirements of the acid rain program; or

4. The ability of EPA to obtain information from a source pursuant to s. 114 of the act (42 USC 7414).

History: Cr. Register, December, 1993, No. 456, eff. 1-1-94.

NR 407.10 General permits. (1) The department may issue general operation permits for stationary sources in accordance with s. 144.391 (3m), Stats. The department may not issue a general operation permit to an affected source.

Note: A listing of sources covered by general permits may be obtained from the district and area offices of the Department or from the Wisconsin Department of Natural Resources, Bureau of Air Management, Permits Section, P.O. Box 7921, Madison WI 53707-7921.

(2) Categories of stationary sources which may be covered by a general operation permit are those which:

(a) Perform the same or substantially similar operations;

(b) Produce the same types of air contaminants;

(c) Employ the same or substantially similar capture and control systems, if applicable;

(d) Are subject to the same emission limitations and other state and federal standards that may be applicable to the sources in the category; and

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(e) In the opinion of the department, are more appropriately controlled under a general operation permit than under individual operation permits.

(3) The department shall issue general operation permits for source categories using the procedures and criteria in ss. 144.3925 to 144.399, Stats. The department may then determine that a source will be covered by the general permit if the source applies for coverage and demonstrates that the source qualifies for coverage under that general permit. A general operation permit shall require any stationary source covered by it to comply with ss. 144.392 to 144.399, Stats. Inclusion of a source under a general permit is not an appealable decision under s. 144.403, 227.42, 227.52 or 227.53, Stats.

(4) The department shall specify the term of a general operation permit in the permit. The term may not exceed 5 years from the date of issuance or renewal.

(5) General operation permits shall contain emission limits, monitoring and recordkeeping requirements, reporting requirements, general conditions and applicability criteria.

(6) Notwithstanding the existence of a general operation permit for a stationary source category to which an individual source belongs, no individual source may be covered by a general operation permit if:

(a) 1. The stationary source is located in or has a significant impact on an area which has been designated nonattainment for particulates, sulfur dioxide, nitrogen oxides, carbon monoxide or lead; and

2. The stationary source has maximum theoretical emissions of the air contaminant for which the area has been designated nonattainment of more than 9.0 pounds per hour for sulfur dioxide or carbon monoxide nonattainment areas; 5.7 pounds per hour for particulate matter or nitrogen dioxide nonattainment areas; or 0.13 pounds per hour for lead nonattainment areas.

(b) The stationary source is applying for a permit to operate an emissions unit to which a general operation permit applies, and the emissions unit would be a major source or a major modification to a major source under ch. NR 405 or 408;

(c) The stationary source includes any emissions unit which is not eligible for coverage under a general operation permit;

(d) The stationary source causes or exacerbates, or may cause or exacerbate a violation of any ambient air quality standard or ambient air increment; or

(e) The department determines that the stationary source is more appropriately regulated by an individual operation permit.

(7) (a) The department shall withdraw a stationary source from coverage under a general operation permit and issue an individual operation permit upon written request of the permittee. The permittee shall submit a complete application for an operation permit under s. NR 407.05 at the time the request is made. The application shall be processed pursuant to ss. NR 407.06 and 407.07 and s. 144.3925, Stats.

(b) When an individual operation permit is issued for a source which would otherwise be covered by a general operation permit, the applicability of the general operation permit to the source is terminated on the effective date of the individual operation permit.

(8) An owner or operator of a stationary source who holds an individual operation permit for a source which is eligible for coverage by a general operation permit may request that the department revoke the individual operation permit pursuant to s. NR 407.15 (1) (d) and allow the source to be covered by the general operation permit. The department may grant the request if it determines that the requirements of this section are met.

History: Cr. Register, December, 1993, No. 456, eff. 1-1-94.

NR 407.11 Administrative permit revisions. (1) **ELIGIBILITY.** Upon request of a permittee, the department may revise an operation permit administratively using the procedures in this section if the revision requested is one of the following:

- (a) Correction of a typographical error;
- (b) A change in the name, address or telephone number of any person identified in the permit, or a similar administrative change at the stationary source, unrelated to emissions;
- (c) More frequent monitoring, recordkeeping or reporting by the permittee; or
- (d) A change in ownership or operational control of a stationary source if the department determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittee has been submitted to the department.

(2) **ACID RAIN.** Administrative permit revisions to the acid rain provisions of the permit shall be governed by s. NR 407.17.

(3) **PROCEDURES.** The department shall use the following procedures in processing administrative permit revisions:

(a) Any person holding an operation permit who seeks an administrative permit revision shall file a written request with the department. The request shall identify the permit to be administratively revised, outline the specific item for which a revision is sought, and set forth the reasons why a permit revision is sought. The request shall be signed by a responsible official and shall be provided to the bureau of air management, either by personal delivery to the office, located at 101 South Webster Street, Madison, Wisconsin, or by mailing to the following address: P.O. Box 7921, Madison WI 53707.

(b) The department shall act on a request for an administrative permit revision within 60 days of receipt of a complete request under this section. The department may administratively revise the operation permit, without providing notice or opportunity for comment or hearing to the public, affected states or EPA, provided that the department determines the revision is one allowed under this section.

(c) Except as provided in s. NR 407.16, the department shall submit a copy of the revised operation permit to the administrator.

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(4) **SCHEDULE.** The permittee may implement the change addressed in the request for an administrative permit revision immediately upon submittal of the request. If the department determines that the proposed change may not be made pursuant to an administrative permit revision, and the permittee has already made the change at the facility, the permittee shall be liable for violation of the permit condition it is requesting to be revised.

History: Cr. Register, December, 1993, No. 456, eff. 1-1-94.

NR 407.12 Minor revisions. (1) **ELIGIBILITY.** Any person holding an operation permit may submit a request to the department to revise the operation permit, to reflect a proposed change at the facility, using the minor permit revision procedures described in this section, provided the proposed change is exempt from department review under chs. NR 405, 406 and 408 and the proposed change meets all of the following criteria:

(a) Does not violate any applicable requirement;

(b) Does not involve significant changes to existing monitoring, reporting or recordkeeping requirements in the permit;

Note: An insignificant change in monitoring would be a switch from one validated reference test method for a pollutant and source category to another, where the permit does not already provide for an alternative test method.

(c) Does not require or change a source-specific determination of an emission limitation or other standard, a source-specific limitation based on ambient air impacts or a visibility or ambient air increment analysis; and

(d) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and which the source has accepted in its permit in order to avoid an applicable requirement to which it would otherwise be subject. This type of term or condition includes, but is not limited to:

1. An emissions cap accepted by the source to avoid a previous change being classified as a modification under s. 144.30 (20), Stats., and rules promulgated thereunder; and

2. An alternative emission limit approved pursuant to regulations promulgated under s. 112 (i) (5) of the act (42 USC 7412 (i) (5)).

(2) **ACID RAIN.** No minor permit revision may be requested or made to any acid rain provision of a permit.

(3) **PERMITTEE'S REQUEST.** A request for a minor permit revision shall be submitted using forms provided by the department and shall include the following:

(a) A description of the change, the effect on emissions resulting from the change, and any additional applicable requirements that will apply if the change occurs;

(b) The permittee's suggested draft permit containing all applicable permit content elements under s. NR 407.09;

(c) Certification by a responsible official in accordance with s. NR 407.05 (4) (j) that the proposed revision meets the criteria in sub. (1); and

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(d) Completed forms for the department to use to notify EPA and the affected states of the proposed minor permit revision.

(4) SCHEDULE AND PROCEDURES. (a) Except as provided in s. NR 407.16, within 5 working days of receipt of a complete request for a minor permit revision, the department shall notify EPA, affected states, and those listed in s. 144.3925 (3) (b) 2 to 5, Stats., of the request for minor permit revision. The department shall then accept comments on the proposed revision for 30 days, commencing on the date that notice is given. If an affected state has submitted comments in response to the notice and the department has not accepted those comments, the department shall notify that state and EPA in writing of its decision not to accept the comments and the reasons for that decision.

(b) The department may not act on a request for a minor permit revision until 45 days after providing notice of the requested revision to EPA or until EPA has notified the department that EPA will not object to issuance of the minor permit revision, whichever is first. Within 90 days of the department's receipt of a complete request for a minor permit revision or 15 days after the end of EPA's 45-day review period, whichever is later, the department shall either:

1. Issue the minor permit revision as proposed;
2. Deny the minor permit revision; or
3. If the department determines that the revision may not be issued as proposed but could be issued if it were amended, amend the draft permit revision, transmit the amended revision to EPA, affected states, and those listed in s. 144.3925 (3) (b) 2 to 5, Stats., and process the amended proposed minor permit revision under this subsection.

(c) The permittee may make the change proposed in its request for a minor permit revision immediately after it files the request. After the permittee makes the change, and until the department takes any of the actions specified in par. (b), the permittee shall comply with both the applicable requirements governing the change and the permittee's suggested draft new permit terms and conditions. During this time period, the permittee need not comply with the permit terms and conditions it is seeking to revise. However, if the permittee fails to comply with its suggested draft new permit terms and conditions during this time period, the existing permit terms and conditions it seeks to revise may be enforced against it. If the department determines that the proposed change may not be made pursuant to a minor permit revision, and the permittee has already made the change at the facility, the permittee shall be liable for any violations of the permit conditions it is requesting to be revised.

(5) PERMIT SHIELD. The permit shield under s. 144.3925 (9) (b), Stats., may not be extended to minor permit revisions.

History: Cr. Register, December, 1993, No. 456, eff. 1-1-94.

NR 407.13 Significant revisions. This section applies to operation permit revisions requested by the permittee that cannot be accomplished under s. NR 407.11 or 407.12. A permit revision to any acid rain provisions of the permit shall be governed by s. NR 407.17. Requests for significant permit revisions shall comply with s. 144.3925, Stats., and s. NR 407.05. The department shall use the procedures in s. 144.3925, Stats., and ss. NR 407.07 and 407.09 when processing requests for significant

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revisions. The department shall process the majority of significant revisions within 9 months after receipt of a complete application.

History: Cr. Register, December, 1993, No. 456, eff. 1-1-94.

NR 407.14 Permit revision by the department. (1) **CRITERIA.** The department may, on its own motion, revise an operation permit for any of the following reasons:

(a) There is or has been a significant or recurring violation of any condition of the permit.

(b) The permit needs to be revised to assure compliance with applicable requirements.

(c) There is a change in any applicable requirement, a new applicable requirement, or an additional applicable requirement.

(d) There is a change in any applicable emission limitation, ambient air quality standard or ambient air quality increment that requires either a temporary or permanent reduction or elimination of the permitted emission.

(f) The permittee has misrepresented or failed to disclose fully all relevant facts when obtaining an operation permit.

(g) There was a reconstruction, replacement or modification of the stationary source that did not require a construction permit under ch. NR 405, 406 or 408.

(h) The permit contains a material mistake or inaccurate or unclear statements.

(i) The permit contains a typographical error.

(2) **ACID RAIN.** Revisions to the acid rain provisions of the permit shall be governed by s. NR 407.17.

(3) **PROCEDURES.** The department shall use the procedures in s. 144.3925, Stats., and s. NR 407.09 when processing revisions under this section unless the change is one described in s. NR 407.11 (1), in which case the procedures in s. NR 407.11 (3) (b) and (c) may be used. The department shall provide a written notice of intent to revise the permit to the permittee at least 30 days prior to initiating a permit revision under this section.

(4) **TIMETABLE FOR ISSUANCE.** Revisions under this section shall be issued within 180 days of giving notice under sub. (3).

(a) If the revision is being made to include a new applicable requirement in a permit, the department shall issue the revision under this section no later than 18 months after promulgation of the new applicable requirement. In cases where the effective date of the applicable requirement is later than the date on which the permit is due to expire, revision under this section is not required.

(b) The department may not issue a permit revision under this section until after the 45 day period EPA has to review the proposed action under s. 144.3925 (5m) (b), Stats., or until EPA has notified the department, December, 1993, No. 456

ment that EPA will not object to issuance of the revised permit, whichever is first.

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NR 407.15 Air pollution control operation permit suspension and revocation. After providing 21 days written notice to the permittee and to the persons listed in s. 144.3925 (3) (b) 2 to 7, Stats., the department may suspend or revoke an operation permit, part of that permit or the conditions of that permit if there is or was:

(1) **VIOLATION.** A significant or recurring violation of any condition of the permit which causes or exacerbates a violation of any ambient air quality standard or ambient air increment or which causes air pollution;

(2) **MISREPRESENTATION OR DELIBERATE FAILURE TO DISCLOSE.** Any misrepresentation or deliberate failure to disclose fully all relevant, significant facts when obtaining the permit;

(3) **DEPARTMENT DETERMINATION.** A determination by the department that the permit must be revoked to assure compliance with the applicable requirements;

(4) **REQUEST.** A request by the permittee to suspend or revoke the permit;

(5) **FAILURE TO PAY FEES.** An intentional failure by the permittee to pay in full the fees required under ch. NR 410, except the department may not suspend or revoke the permit for failure to pay fees while those fees are being disputed under s. NR 410.04 (6);

(6) **FAILURE TO FILE ANNUAL EMISSION INVENTORY REPORTS.** An intentional failure by the permittee to file annual air emission inventory reports required under s. NR 438.03; or

(7) **SOURCE SHUTDOWNS.** A permanent shutdown of operations of a stationary source so that it no longer needs a permit.

History: Cr. Register, December, 1993, No. 456, eff. 1-1-94.

NR 407.16 Revision procedures for non-part 70 source permits and state-only requirements for part 70 sources. Notwithstanding the requirements to give notice to affected states and EPA under ss. NR 407.11 (3) (c), 407.12 (4), 407.13, 407.14 (4) and 407.15 (1), an operation permit may be revised, suspended or revoked without giving notice to affected states or EPA if the operation permit is for a source that is a non-part 70 source, or if the condition being revised is a requirement identified as not being federally enforceable under s. NR 407.09 (3) (b).

History: Cr. Register, December, 1993, No. 456, eff. 1-1-94.

NR 407.17 Revisions of acid rain provisions. (1) **GENERAL.** (a) This section governs revisions to the acid rain provisions of any operation permit issued by the department under this chapter.

(b) A request for a permit revision may be submitted to the department at any time. No permit revision may affect the duration of the permit to be revised. No permit revision may excuse any violation of an applicable requirement of the acid rain program that occurred prior to the effective date of the revision.

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(c) The terms of the permit shall apply while the request for a permit revision is pending.

(d) The applicable requirements of the acid rain program may not be modified or voided by a permit revision.

(e) Any request for a permit revision to incorporate a compliance option that was not submitted for approval and comment during the permit issuance process, or involving a change in a compliance option that was previously submitted, shall meet the requirements for applying for that compliance option under 40 CFR 72.40 to 72.44.

(f) For permit revisions not described in sub. (2) or (3), the department may, at its discretion, determine whether the revision request will be processed under sub. (2) or (3).

(2) **SIGNIFICANT PERMIT REVISIONS.** (a) Applications for the following revisions shall be processed as significant permit revisions:

1. Relaxation of an excess emission offset requirement after approval of the offset plan by the administrator;

2. Incorporation of a final nitrogen oxides alternative emission limitation pursuant to s. 407 (d) of the act (42 USC 7651f (d)); and

3. Determinations concerning failed repowering projects under 40 CFR 72.44 (g) (1) (i) and (2).

(b) Requests for the following permit revisions shall be processed, at the option of the designated representative submitting the request for the permit revision, under either the significant permit revision procedures in par. (c) or under the fast-track revision procedures in sub. (3):

1. Use of a compliance option that the designated representative did not submit for approval and comment during the permit issuance process, except that incorporation of a reduced utilization plan that does not designate a compensating unit, and that meets the requirements for phase I reduced utilization plans in 40 CFR 72.43, may be processed using the administrative permit revision procedures in sub. (4);

2. Changes in a substitution plan or reduced utilization plan that result in the addition of a new substitution unit or a new compensating unit under the plan;

3. Addition of a nitrogen oxides averaging plan to a permit; and

4. Changes in a phase I extension plan, phase II repowering extension plan, nitrogen oxides averaging plan, or nitrogen oxides compliance deadline extension.

(c) Requests for significant permit revisions shall be processed in accordance with s. 144.3925, Stats., except that the department shall act on the majority of the requests for significant permit revisions within 9 months after receipt of a complete application.

(d) An affected source requesting a significant permit revision under this subsection shall comply with all applicable requirements proposed in the request for revision while the request is pending. Where a conflict exists between an applicable requirement proposed in the request for revision and an existing permit provision, the source shall comply with the existing permit provision.

(3) **FAST-TRACK REVISIONS.** The following procedures shall apply to requests for fast-track revisions submitted under sub. (2):

(a) The designated representative shall serve a copy of a request for a fast-track revision on the administrator, the department, the public service commission of Wisconsin and any other state or local utility regulatory authority with jurisdiction over the owners of any source or any unit covered by the permit, the state or local air pollution agency for any affected state and any interested person. Within 5 business days of serving the copies, the designated representative shall provide public notice of the request for revision by publication in a newspaper of general circulation in the area where the source is located or in the official state newspaper. The notice shall be designed to give public notice of the substance of the requested permit revision and of the opportunity for public comments.

(b) Anyone who wishes to comment shall have a period of 30 days, commencing on the date of publication of the notice under par. (a), to comment on the request for a fast-track revision. Comments shall be submitted in writing to the department and to the designated representative.

(c) Within 30 days of the close of the public comment period provided under par. (b), the department shall review the request for fast-track revision and the comments received on it and approve, in whole or in part or with changes or conditions as appropriate, or disapprove the request for revision.

(4) **ADMINISTRATIVE PERMIT REVISION.** (a) Requests for the following revisions shall be processed as administrative permit revisions:

1. Revisions to a permit to include a compliance option that has previously been conditionally approved by the department, provided that the following requirements are met:

a. The designated representative shall notify the department in writing that the conditionally-approved compliance option will be pursued beginning January 1 of a specified year. If the conditionally-approved compliance option includes a plan involving units at more than one affected source, the designated representative of each source governed by the plan shall sign and certify the notification in accordance with s. NR 407.05 (4) (j). The notification shall be subject to the limitations on activation under subpar. b and 40 CFR 72.40 to 72.44.

b. The notification under subpar. a shall specify the first calendar year and the last calendar year for which the conditionally-approved compliance option is to be activated. A conditionally-approved compliance option shall be activated, if at all, before the date of any enforceable milestone applicable to the compliance option. The date of activation of the compliance option may not be a defense against failure to meet the requirements applicable to that compliance option during each calendar year for which the compliance option is activated;

2. Changes in the designated representative or alternate designated representative, provided that a new certificate of representation has been submitted to the administrator;

3. Correction of typographical errors;

4. Changes in names, addresses, or telephone or facsimile numbers;
 5. Changes in the owners or operators, provided that a new certificate of representation is submitted to the administrator at least 30 days prior to the changes;
 6. Termination of a compliance option in the permit, provided that the following requirements for termination are met:
 - a. This procedure may not be used to terminate a phase II repowering extension plan after December 31, 1999 or to terminate a phase I extension plan.
 - b. The designated representative for a unit may request termination of a compliance option by notifying the department in writing that an approved compliance option will be terminated beginning January 1 of a specified year. If the compliance option includes a plan involving units at more than one affected source, the designated representative of each source governed by the plan shall sign and certify the notification in accordance with s. NR 407.05 (4) (j). The notification shall be subject to the limitations on termination under this paragraph and 40 CFR 72.40 to 72.44.
 - c. The notification under subpar. b shall specify the calendar year for which the termination will take effect;
 7. Changes in a substitution or reduced utilization plan that do not result in the addition of a new substitution unit or a new compensating unit under the plan;
 8. Changes in the date, specified in a permit, of commencement of operation of qualifying phase I technology, provided that the new date is in accordance with the phase I extension plan requirements in 40 CFR 72.42;
 9. Changes in the date, specified in a permit, of commencement of operation or a change in the deadline for continuous emission or opacity monitor certification, provided that they are in accordance with the standard requirements for permits in 40 CFR 72.9; and
 10. The addition of or change in a nitrogen oxides alternative emissions limitation demonstration period, provided that the requirements of s. 407 of the act (42 USC 7651f) are met.
 - (b) Requests for administrative revisions shall be processed in accordance with s. NR 407.11.
- (5) **AUTOMATIC PERMIT REVISIONS.** The following permit revisions shall be deemed to revise automatically, and become a part of, the affected source's permit by operation of law without any further action or review by the department:
- (a) Upon recordation by the administrator under 40 CFR 73.10 to 73.53, all allowance allocations to transfers to, and deductions from an affected source's allowance tracking system account; and
 - (b) Incorporation of an offset plan that has been approved by the administrator under 40 CFR 77.4.
- (6) **PERMIT REVISIONS BY THE DEPARTMENT.** (a) 1. The department, on its own motion, shall revise an acid rain provision of a permit whenever
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additional requirements become applicable to any affected source governed by the permit.

2. No later than January 1, 1999, the department shall revise any permits of affected sources to add the acid rain program nitrogen oxides requirements, provided that the designated representative of the affected source submits a timely and complete acid rain permit application for nitrogen oxides, in accordance with 40 CFR 72.21. The revision may not affect the duration of the acid rain portion of an operation permit.

(b) Permit revisions under this subsection shall be processed in accordance with ss. NR 407.14 (3) and (4). When revising a permit to an affected source under this subsection, the department shall make a determination on the approvability of a revised permit which would change the provisions, or add the requirements, for which the reopening was necessary. The revised permit shall contain the following elements:

1. All elements required for acid rain permit content under 40 CFR 72.50;
2. The applicable acid rain emissions limitation for sulfur dioxide; and
3. The applicable acid rain emissions limitation for nitrogen oxides.

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